

(2)

As part of the regulations issued on April 5, the FCC mentioned in note 53 that the Commission will be examining the appropriateness of further rules that would limit a cable carrier's ability to scramble channels that were not scrambled prior to the passage of the Cable Act. Local leaders in many of the communities served by Warner Cable believe that such rules would permit consumers to sustain their previous level of service without additional equipment charges, since terminals would no longer be needed to access the satellite tier.

I am writing to ask, first, what factors the FCC will consider in its deliberations on this matter. Further, I am seeking the FCC's counsel on the following: (1) how any new rules on this issue would affect the "no buy through" requirement of the Cable Act; and (2) how such rules might diminish a cable carrier's capacity to prevent unauthorized access to programming.

Although this situation is presently concentrated in the Akron area, I am certain that similar issues and conflicts will arise with increasing frequency throughout the country as cable firms move to upgrade their systems in the face of increasing competition. Thus, I believe that the FCC's decision on this matter will have consequences for a significant number of Americans.

On the advice of counsel, several of the communities in my district are filing formal complaints with the FCC about Warner's upgrade. I understand that the FCC has limited resources with which to enforce the Cable Act, and I appreciate your efforts as Chairman to ensure that the law is enforced. In that spirit, I urge you to consider carefully the formal complaints of the cities I represent, and to continue to ensure that Warner Cable of Greater Akron is in full compliance with present and future Cable Act regulations. Thank you for your prompt consideration, and I look forward to your response.

Sincerely,

Thomas C. Sawyer
Member of Congress

TCS/be

April 22, 1988

Donald Mittiga
Ward 2 Councilman
City Council
Akron, Ohio

This letter is to let you know that I join the numerous others in protesting the actions of Warner Cable regarding the requirement of a "box," or terminal as they call it.

My particular objections are:

- 1 The additional cost.
- 2 The necessity of another device and remote (for a TV and VCR that decode the current programming.)
- 3 The loss of picture-in-picture and "watch one, record another" capability without a second "terminal."
(I do not want to pay for one box, I sure do not want to pay for a second box.)

Besides the inconvenience and additional cost being imposed on the customer, their rationale for certain decisions is cause for anger.

- 1 They claim expanded service capability. That is fine for those who want it. Those who do not should not have to accept the changes required to make it available for those who do.
- 2 Warner Cable states that their survey showed very few subscribers watch one cable channel and tape another cable channel. They must transfer that thought to picture-in-picture watching. If your channel choices involve one "air" channel and one "cable," and your system is hooked up to allow antenna reception, you can perform these viewing functions.

My own informal survey, starting with myself, is in conflict with their findings. None of the people I asked agreed with Warner's stated findings.

Even if their survey were accurate, the capability should be available without a second terminal. Particularly disturbing was the admission that a terminal that would

allow "tape one, watch another," and "picture-in-picture" viewing would have only cost an additional \$2.00 at time of Warner's purchase.

I understand that Council's ability to control Warner's business decisions is limited. Hopefully the subscribers who are insulted or disturbed by the inconvenience and additional cost will have an effect by their refusal to purchase the offered services.

Thank you for any attention you can give this matter.

Respectfully,

Rick

Richard L. Mullins
302 Woodlawn Reserve
Akron, Ohio 44305

City of Akron, Ohio

DONALD L. PLUSQUELLIC
Mayor

May 10, 1994

Deane R. Williams
461 Frazier Avenue
Akron, OH 44305

RE: Warner Cable Home Terminal Cable Boxes

Dear Ms. Williams:

Thank you for your letter concerning Warner Cable's Home Terminal cable box. You, as well as many other customers, have expressed dissatisfaction with Warner Cable's Home Terminal cable box. As a result, the City has been working to persuade Warner Cable to alter its system to eliminate the need for the Home Terminal cable boxes to receive cable channels 15-31 (The Home Terminal cable box is not necessary to receive channels 2-14).

However, the Federal Communications Commission (FCC) has permitted Warner Cable to scramble Channels 15-31 which necessitates use of the Home Terminal cable box. The City of Akron does not have the authority to overrule the FCC.

Nonetheless, the City of Akron has taken steps to address the Home Terminal cable box issue. First, the City of Akron has exercised the limited authority granted to it by Congress by becoming certified to regulate basic cable rates and customer service standards. Second, the City of Akron is seeking to join with other communities in Summit, Wayne and Medina Counties to persuade Warner Cable to eliminate the necessity of the Home Terminal cable box to receive channels 15-31. Third, the City of Akron is appealing to the FCC to prohibit Warner Cable from scrambling channels 15-31. Fourth, the City of Akron has hired a cable consultant to verify the truth of Warner Cable's claims regarding the Home Terminal cable box as well as to assist the City of Akron in implementing the aforementioned steps.

Your comments and suggestions regarding the Warner Cable Home Terminal cable box are welcome and appreciated. Should you have future comments and suggestions or wish to discuss this matter further, you may contact Dave Muntean at the City of Akron Law Department at 375-2030.

Sincerely,

Donald L. Plusquellic
Mayor

DLP:pjb

/ cc: Dave Muntean, Assistant Director of Law

DEPARTMENT OF LAW
202 Ocasek Government
Office Building
161 South High Street
Akron, Ohio 44308-1655
(216) 375-2030
FAX (216) 375-2041

MAX ROTHAL
Director of Law

James E. Payne
Deputy Director of Law

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George A. Bozeka
Bruce H. Christensen, Jr.
Deborah M. Fortia
David A. Muntean
Kathryn W. Pascover
J. Christopher Reece
Laura A. Killian
Janet M. Ciorola
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Chief City Prosecutor

Thomas M. DiCaudo
Chief Assistant Prosecutor

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Patrick Michael Summers
Police Legal Advisor

Rhonda L. Hendricks
Suzanne L. Stephens
Gerald K. Larson
Tracy D. Stoner
Bruce D. Kelley
Tracie L. Sims
Lewis W. Adkins, Jr.
Brian J. Zwaig
Assistant Directors of Law



Donald L. Plusquellic
Mayor

May 13, 1994

R. Leslie Felton
778 Inverness Road
Akron, Ohio 44313

RE: Warner Cable Home Terminal Cable Boxes

Dear Mr. Felton:

Councilman John Frank has referred to me your recent letter to him regarding Warner Cable. You, as well as many other customers, have expressed dissatisfaction with Warner Cable's Home Terminal cable box. As a result, the City has been working to persuade Warner Cable to alter its system to eliminate the need for the Home Terminal cable boxes to receive cable channels 15-31 (The Home Terminal cable box is not necessary to receive channels 2-14).

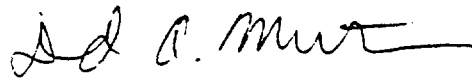
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R. Leslie Felton letter
Date: May 13, 1994
Page 2

Your comments and suggestions regarding the Warner Cable Home Terminal cable box are welcome and appreciated. In fact, the City of Akron will soon be enlisting such comments as support in proceedings before the FCC. Should you have future comments and suggestions or wish to discuss this matter further, you may contact me at the City of Akron Law Department at 375-2030.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. A. Muntean", with a long horizontal flourish extending to the right.

David A. Muntean
Assistant Director of Law

cc: Councilman John Frank

DAM:keh

May 16, 1994

Federal Communications Commission
1919 M St. Northwest
Washington D.C. 20554

Re: Regulation of the cable T.V. industry

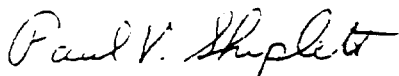
Dear Sir:

I wish to add my voice to those who are complaining about the new converter box and the tier system being forced on customers by the Warner Cable System in Akron, Ohio.

- 1) We must rent a converter box and remote control device to receive any thing above basic service.
 - a) The box, not needed before, will not allow my VCR to be used as in the past.
 - b) I must rent two boxes and two remote units in order to tape one channel while watching another.
 - c) I must rent a box and remote for each T.V. This will increase my monthly charge by \$18.00.
- 2) We presently receive 36 channels. The new system will include 64 channels broken into 4 tiers. Each tier will cost additional money. They have taken the most popular channels and have divided them into three of the tiers to insure we must buy the additional box and service.
- 3) I will receive less service and will pay more money for it. I think they have created equipment and a new policy that allows them to circumvent the recent controls issued by your department.

I would like to see them provide the service at a reasonable cost, and not force me to pay for services I don't want and won't use.

Sincerely Yours,



Paul V. Shiplett
897 Eva Ave.
Akron, Ohio 44306

May 26, 1994

Mr. David A. Muntean
Assistant Director of Law

Dear Mr. Muntean,

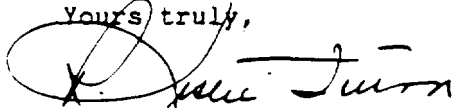
Since my letter to you on May 17th I've done some research into the Warner Cable Home Terminal. Through their own equipment demonstrations they have shown that the primary function of the Home Terminal is to allow their subscribers to order pay-per-view features (movies, concerts, boxing events, etc.) without the use of their telephone.

Currently, if you want to subscribe to one of these features, you place a telephone call to Warner Cable. How your call is handled is based on whether you are calling from a touch-tone or rotary dial phone. In either case, Warner Cable needs a bank of business telephone lines to receive these calls. With the Home Terminal in place these requests will be forwarded over their own coaxial TV cable. No need for telephone lines, and no need for people to answer those calls. So, the introduction of the Home Terminal is not only a source of additional revenues, it is also a method for substantial reduction in operating costs. Warner Cable is scrambling channels to make the Home Terminal necessary. The scrambled channels achieve nothing else for them.

Unfortunately, every subscriber, whether or not they subscribe to these pay-per-view features, must pay for the Home Terminal. The cost is not only in cash, but in the inconvenience of using the Home Terminal. For instance, if I want to tape a TV show I need three (3) remote control units. One for the TV, one for the Home Terminal (the Home Terminal must be programmed before you program the VCR), and one for my VCR. Also, you cannot enter a channel selection directly (press 3, press enter). Now you must bring up on the screen a list of available channels, and scroll through the list until you come to the channel you want. You then press enter.

I hope you can convince Warner to not scramble the channels, but I don't think you'll be successful. I think the least the City should insist on is that Warner Cable provide each subscriber with one (1) Home Terminal unit --- free of charge. The subscriber would pay for additional units. If Warner Cable will not agree to that, the City should then make them lower the basic cable rate by \$3.60 per month. You know, there are a lot of poor and retired people out there who will not be able to afford another \$4.00 to \$7.00 per month for cable service, and their cable TV is the only source of entertainment they can afford.

Yours truly,



R. Leslie Felton

cc: J. Frank

May 25, 1994

Mayer Paul Warginiski
City of Tallmadge
46 North Avenue
Tallmadge, Ohio 44278

Dear Sir,

I am writing to urge you to resist
Warner Cable's "BLACK BOX" plans for
cable television for the City of Tallmadge.

I am appalled at the silence on this issue
coming from the City administration. I think
it is time long past to hear support for
the city population.

I have been living in Tallmadge for 32 years
and am retired. I think it is a wonderful
place to live and hope to stay here as long
as I can afford to.

In case anyone is interested, I will either
cancel my Warner Cable service or accept only
the minimum basic service.

Sincerely,

42 Orvilawn Drive
Tallmadge, Ohio 44278
633-5620

J. C. Blackwell

cc: President of City Council

MAY 24, 1994
GLEN A. LUNDY

MAYOR PAUL WARZINSKI

SOMEONE SHOULD STAND UP FOR THE
BEST INTERESTS OF TALLMADGE RESIDENTS

I HAVE BEEN WITH WARNER CABLE FOR
ALMOST ONE YEAR - SUBSCRIBING TO THE
BASIC SERVICE THAT DOES NOT REQUIRE
A CHANNEL BOX. MY TELEVISION SET AND
VCR IS NEW AND COMPLETELY CABLE READY
USING ONE REMOTE FOR ALL.

I HAVE NEVER COMPLAINED ABOUT THE
\$23.50 PER MONTH SERVICE RATE THAT INCLUDES
BASIC CHANNELS PLUS CNN, AMC AND TNT.

NOW WARNER PLANS TO INSTALL ONE
OR TWO "BOXES" WITH ADDITIONAL REMOTES,
AT A HIGHER SERVICE RATE TO IMPROVE
MY SERVICE.

AS A SENIOR CITIZEN I ENJOY CABLE
BUT ABSOLUTELY DO NOT WANT THE NEW
BOX. AS MUCH AS I WILL MISS CNN, TNT
AND THE OTHER CHANNELS I WILL BE FORCED
TO GO BACK TO THEIR SO CALLED BASIC
(14) CHANNELS OR CANCEL ALTOGETHER.

PLEASE TRY TO SERVICE THE BEST INTERESTS
OF TALLMADGE RESIDENTS.

CC: PRESIDENT COUNCIL

Glen A. Lundy
507 FERNWOOD AVE
TALLMADGE

2570 Shoreline Drive A-10
Akron, Ohio 44314

Federal Communications Commission
Attention: Cable Programming Service Rate Complaint
P.O. Box 18958
Washington, D.C. 20036

Dear Sirs:

Attached is a completed form FCC 329 in regard to a soon to be implemented, increase in my Cable TV charges.

Warner Cable of Ohio has chosen to institute a price increase. I suspect the reasons are merely a method to circumvent the "price controls" imposed by our illustrious Congress.

However, this increase provides no tangible improvement in the Cable TV product. It also is a backward step in technology, requiring a converter box in place of the cable ready system of my television. This concept is at least twenty years old.

I object to having a price increase under these circumstances. Let's open up some competition and let the market-place work. Regulation is not the answer.

Sincerely,

Harry F. Bader 6-6-94
Harry F. Bader

CABLE PROGRAMMING SERVICE RATE COMPLAINT FORM

1. PLEASE READ THE ATTACHED INSTRUCTIONS BEFORE COMPLETING THIS FORM

Your Name <i>HARRY F. BADER</i>		Street Address <i>2570 SHORELINE DR. A-10</i>	
City <i>AKRON</i>	State <i>OH</i>	Zip Code <i>44314</i>	Daytime Phone Number (optional) <i>216-434-6668</i>

2.

Franchising Authority Name <i>CITY OF AKRON</i>		Street Address <i>166 S HIGH ST</i>	
City <i>AKRON</i>	State <i>OH</i>	Zip Code <i>44308</i>	The name of your franchising authority should appear on your cable bill. If not, contact your cable company or local government for this information.

3.

Cable System Name <i>WARNER CABLE - AKRON</i>		Street Address <i>PO BOX 9905</i>	
City <i>CANTON</i>	State <i>OH</i>	Zip Code <i>44711-0905</i>	If you are complaining about the rates charged by more than one cable system, you must complete and file a separate FCC Form 329 for each system.

4. What is the FCC's community unit identifier for your cable system?
This is a two letter abbreviation followed by four numbers – for example,
PA0000 – that should appear on your cable bill. If it does not, leave this space blank.

<i>O</i>	<i>H</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>6</i>
----------	----------	----------	----------	----------	----------

5. Have you previously filed a complaint against this cable system?

☐

Yes, on

☒

No

--	--	--

MONTH DAY YEAR

If yes, was your complaint returned to you by the FCC
with a request for additional information?

☐

Yes, on

☐

No

--	--	--

MONTH DAY YEAR

6. A rate increase may occur when your cable company increases the price for your cable programming service and/or changes the number or types of channels you receive. Complaints about rate increases for cable programming services or related equipment must be received by the FCC within 45 days from the date you first received a bill showing the rate increase. (There is one exception to this rule. If you are challenging a rate that was in effect on September 1, 1993, you have until February 28, 1994 to file a complaint about that rate.) Late-filed complaints will be returned and your cable company will not be required to file a response to your complaint, so be sure to file your complaint within 45 days of the first time your bill includes the rate increase.

When did you first receive a bill reflecting the rate increase you are complaining about?
(If you are complaining about a rate in effect on September 1, 1993, please enter "9/1/93"
in this box.)

<i>5</i>	<i>-6</i>	<i>94</i>
----------	-----------	-----------

MONTH DAY YEAR

BILL NOT YET REC'D
HOWEVER ATTACHED NOTICE REC'D
-over-

7. What is your current monthly rate for cable programming service?

\$ 23.63

If you are complaining about a rate increase, what was your previous monthly rate for cable programming service?

\$

RATE to be 27.23

8. Have any channels been added to or dropped from your cable programming service since your last bill?

a. Yes, channels have been added

☒

b. Yes, channels have been dropped

☒

c. No, there has been no change

☐

9. If you are a cable subscriber, you must attach a copy of your current cable bill or we will not be able to process your complaint. You may attach a copy of your previous cable bill as well; however, this is not required.

10. You may attach any additional comments or explanations to this form.

11. You must send copies of this complaint, your cable bill and any additional comments to your cable company and to your local franchising authority at the addresses you listed above by first class mail, postage prepaid, on the same date you sent this complaint to the FCC. If you do not send the copies, your cable company will not be required to respond and we will not be able to process your complaint.

On what date did you send the copies?

6 6 94

MONTH DAY YEAR

12. By signing this form, I certify:

- a. That to the best of my knowledge, the information supplied on this form is true and correct; and
- b. That I am sending a copy of this complaint, including a copy of my cable bill and any additional comments, to the cable company and the local franchising authority at the addresses listed above via first class mail, postage prepaid.

This form must be signed or we will not be able to process your complaint.

Henry J. Baker June 6, 1994
Signature Date

13. Mail or FAX the original signed copy of this completed form, with a copy of your cable bill and any additional comments, to:

Federal Communications Commission
Attention: Cable Programming Service Rate Complaint
P.O. Box 18958
Washington, D.C. 20036

FAX Number: (202) 416-0885
(For FCC Form 329 ONLY)

Remember also to mail copies of the form, with a copy of your cable bill and any additional comments, to your cable company and your local franchising authority.

YOUR PARTICIPATION IS CRITICAL TO THE IMPLEMENTATION OF THE CABLE ACT.
YOUR INVOLVEMENT IS GREATLY APPRECIATED.

May 1994

Dear Valued Warner Cable Customer:

During the past several months we've been hard at work installing a state-of-the-art, fiber optic cable system in your neighborhood. Thanks to this new technology, you can look forward to enhanced picture quality, reduced service interruptions, and an increase in the number of channels we offer.

And now we're ready for the next exciting phase of our expansion.

1. On May 10, 1994, your channel line-up will change. (See the reverse for new line-up.) Plus, we've added The Weather Channel to your existing channel line-up at no extra charge!
2. Soon, a Warner Cable representative will contact you about installing a new Cable TV converter box, or "Home Terminal." Every TV set that's connected to services above Basic Service (Channels 2-14) will require one.
3. Each home terminal will be leased to you for only \$3.45 per month. In addition, a remote control will be available for just 15¢ per month plus tax. The Home Terminal and the remote control will be conveniently itemized on your cable bill, replacing your current equipment charges.

The Home Terminal has many exciting new features to make your cable viewing easier and more enjoyable.

1. On Screen Program Guide. The on-screen guide lists programs airing in the next twelve hours by 15 different categories: sports, movies, talk shows, etc. And, when you highlight the program you want to see, the Home Terminal automatically tunes to the appropriate channel!
2. Pay Per View. The Home Terminal allows you to order pay per view movies and events with the touch of a button! It's easy, convenient and delivers your selection instantly.
3. Volume Control And Mute. The Home Terminal makes any TV capable of volume control and muting at the touch of a button!

Other features of the Home Terminal include increased parental control capabilities, favorite channel recall, and an on screen channel line-up which lists the channels by name and channel number.

This is definitely an exciting time in the communications industry. Within the next 30 days, many new entertainment and information services will be at your fingertips - making your cable system one of the most innovative and advanced systems in the country.

Now, you and your family will have the power to choose the television services that are right for you.

At Warner Cable, we're bringing the future of television home to Greater Akron.

Sincerely,



Stephen R. Fry
President, Northeast Ohio Division



WARNER CABLE

Great Performances. Every Day.

ER CABLE

ACCOUNT NUMBER
01951-909576-04-9

BILLED FROM BILLED TO DATE DUE RECEIVED BY
4/15/94 5/15/94 05/03/94 4/07/94

2570 SHORELINE DR APT A10

WE APPRECIATE YOUR PROMPT PAYMENT!
A 5% LATE CHARGE IS APPLIED FOR
PAYMENTS RECEIVED AFTER DUE DATE.

5 BEGINNING BALANCE 23.63

IMPORTANT PHONE NUMBERS

9 PAYMENT THANK YOU 23.63-

5- 5/15 CABLE SERVICE

TO ORDER PAY-PER-VIEW 633-1234

24-HOUR REPAIR SERVICE 633-1875

BASIC SERVICE \$8.75

ACCOUNT BALANCE INQUIRY 633-7585

STANDARD TIER \$11.44

TDD(HEARING IMPAIRED) 1-800-232-0833

WTBS, AMC, DSCVRY \$2.31

TO ADD/CHANGE SERVICE 633-9044

TOTAL

22.50

CUSTOMER SERVICE/BILLING 633-1839

5- 5/15 FRANCHISE FEE 1.13

5 BALANCE DUE 23.63

BRITTAIN RD. LOBBY OPEN UNTIL
7PM MON-FRI AND 5PM SAT.

APR 15 THRU MAY 15, 1994

R FRANCHISE AUTHORITY: CITY OF AKRON, 166 S. HIGH ST.
ON, OH 44308 FCC ID #0H0006

Robert F. Linton
333 N. Portage Path, #4
Akron, Ohio 44303

June 29, 1994

Councilman John Frank
City of Akron

Dear Mr. Frank:

I am enclosing a form letter dated Tuesday, June 14, 1994 from Warner Cable. From what I have read in the newspaper, Warner claims that somehow it is technologically required that we subscribe to some new service and box that they offer. I don't know how this can be since I have had the multi-channel service that I've always had for several months. So, at least from my observation appears they can easily continue the "old service".

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Linton', with a stylized flourish at the end.

Robert F. Linton
Dissatisfied Customer

WARNER CABLE
1855 BRITTAIN ROAD
AKRON OH 44310
633-1839



TUE JUN 14, 1994
125935- 1

DEAR R LINTON

SEVERAL WEEKS AGO YOU RECEIVED A LETTER ABOUT THE MAJOR IMPROVEMENTS WARNER CABLE IS MAKING IN YOUR NEIGHBORHOOD. TO RECEIVE ANY SERVICES ABOVE BASIC SERVICE, YOU MUST HAVE A NEW HOME TERMINAL INSTALLED ON YOUR TV SET. WE HAVE TRIED SEVERAL TIMES TO CONTACT YOU TO ARRANGE INSTALLATION WITHOUT SUCCESS.

UNLESS WE INSTALL THE TERMINAL IN YOUR HOME BY TUE JUN 23, 1994, YOUR CABLE SERVICE WILL BE RESTRICTED TO CHANNELS 2 - 14. THEREFORE, IT'S VERY IMPORTANT THAT YOU MAKE ARRANGEMENTS FOR THIS INSTALLATION. PLEASE CALL OUR OFFICE AT 633-9044 BETWEEN 5PM AND 9PM, MONDAY THROUGH FRIDAY, TO ARRANGE A CONVENIENT INSTALLATION APPOINTMENT.

THANK YOU FOR YOUR ATTENTION.

CAR-RT SORT **02 22

R LINTON

530 W PORTAGE PATH LOT 4

AKRON

OH 44307 H250

Robert F. Linton
Dissatisfied Customer

2570 Shoreline Dr., Apt. A-10
Akron, Ohio 44314
July 4, 1994

Federal Communications Commission
Attn: Cable Programming Service Rate Complaint
P.O. Box 18938
Washington, D.C. 20036

Reference: The attached letter - Warner Cable to F.C.C., June 24, 1994

Dear Sirs:

The referenced letter with 32 pages of Form 393 does not address the issue.

The issue is:

- o-Warner Cable intends to force a converter upon its customers and then charge them extra for that inconvenience.
- o-I do not need a converter since I now receive the channels I require without a converter. I am unable to view premium channels, for which I do not pay, again without a converter. This is as it should be.
- o-The technology to accomplish this has been in place since I became a Warner customer in 1990. It, therefore, is illogical to say that a converter is now required. Requiring a converter is definitely not a technology advance.
- o-Price increases due to changes in the economy and increases in the cost of doing business are understandable. However, tying an increase to an unneeded and unwanted converter is ridiculous.

I would appreciate the issue being addressed without sending me 32 pages of bureaucratic bumph.

Sincerely,



Harry J. Bader
Vice President, Latex Services

cc: Stephen R. Fry - Warner Cable
City of Akron

7-2-94

MR. MUNTZAN —
GOOD TO SEE IN BAKER
JOURNAL THAT YOU ARE
LOOKING INTO THE AKRON WARN
CABLE TV CONVERTER
TERMINAL BOX PROBLEM.

— I FIND OUR TV HANDLES
CABLE NUMBERS 2-36

— ONE VCR 1-99

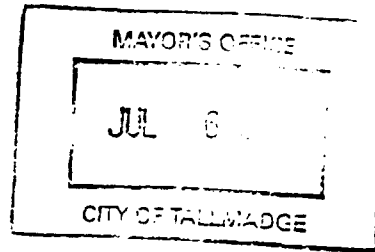
— OTHER VCR 2-13 AND 14-69

IN STORE, THE OTHER DAY — I
SEE NEW TV HAVE, ROUTINELY
1-181 OR WAS IT 2-180 — WELL

I SAY THEY DON'T NEED TO
SCRAMBLE JACK.

THANKS, Dick

ENCLOSURE
COPIES FOR
YOUR INFO



July 5, 1994

Mayor Warzinski
46 North Avenue
Tallmadge, Ohio 44278

Dear Sir:

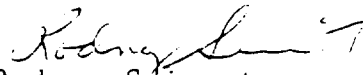
I want to protest the new Cable T.V. convertor box. In order for me to continue my present quality of service (basic and standard service) plus have the ability to watch one program and tape another, it will cost another \$7.00 for two convertor boxes.

It would appear to me that under this set up, I gain absolutely nothing, my cost increases 30%, I have the ugly mess of two convertor boxes piled atop my T.V., and another remote control.

Think about it. My cost is up 30%, my level of service decreases, and I have more junk to pile on my television. It makes me very, very angry just thinking about it!

I DO NOT WANT interactive cable and I DO NOT WANT THIS OUTRIGHT SCAM'!!!

Sincerely,


Rodney Seiwert
180 West Garwood Drive
Tallmadge, Ohio 44278

July 13, 1991

Mr. Mr. Muntan.

This letter is to register my complaint about Warner Cable of Akron. Now that I have up-dated my televisions and VCR to be cable ready, they are forcing us to have cable boxes (at \$3.60 per month each) and are scrambling most of the channels.

I hope that when the FCC answers the complaint filed by Akron and other cities, they will help us to get rid of the cable boxes. Very truly,

Mrs. Carol Weissberger
1697 Brookwood Rd
Akron, Ohio 44313

DEPARTMENT OF LAW
222 Odessa Government
Office Building
161 South High Street
Akron, Ohio 44308-1655
(216) 375-2030
FAX (216) 375-2041

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Donald L. Plusquellic
Mayor

June 22, 1994

William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Mr. Caton:

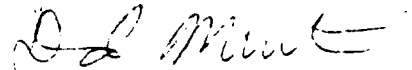
The enclosed is submitted on behalf of the City of Akron, Ohio, and numerous surrounding municipalities specified in the enclosed filing (collectively "Akron Area Cities") pursuant to the Federal Communications Commission's (FCC) request for comments on the March 18, 1994 Petition for Declaratory Ruling filed by the Committee on Science, Technology and Energy of the New Hampshire House of Representatives ("the Committee"). This Petition seeks a ruling regarding local franchising authorities' rights concerning cable television signal scrambling and converter box implementation by cable operators. The Akron Area Cities support the powers granted to franchising authorities as provided in the legislation enacted by the New Hampshire House of Representatives and urge the FCC to rule that such authority is not preempted by its rules or federal law. Additionally, the Akron Area Cities support an establishment of a federal prohibition on the scrambling of any regulated cable service irrespective of whether such authority is contained in the operative franchise agreement since numerous municipalities throughout the United States are now faced with the complexities of dealing with this issue and protecting the public interest. Evidence in support of both activities is contained in the enclosed documents.

The original and nine (9) copies are enclosed. A copy of our Comments has been served on Warner Cable Communications, the Committee and another copy has been sent to Kathleen Franco at the FCC's Cable Services

William Caton letter
Date: June 22, 1994
Page 2

Bureau. Please contact me at the above address and telephone number if additional information is needed to properly evaluate the enclosed materials.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Muntean". The signature is fluid and cursive, with a long horizontal stroke at the end.

David Muntean, Esq.
Assistant Law Director

Enclosure

DAM:keh

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Petition for Declaratory)	
Ruling Concerning Preemption)	
of State Restrictions on)	Public Notice No. 43173
Cable Operators' Use of Converter)	
Boxes, Scrambling, Encryption)	
or Digital Technology)	

COMMENTS OF THE CITY OF AKRON, OHIO,
AND SURROUNDING MUNICIPALITIES
(COLLECTIVELY "AKRON AREA CITIES")

David Muntean, Esq.
Assistant Law Director

The City of Akron
161 South High Street
202 Ocasek Building
Akron, Ohio 44308-1655
(216) 375-2030

For the Akron Area Cities

Dated: June 22, 1994

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
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Petition for Declaratory)	
Ruling Concerning Preemption)	
of State Restrictions on)	Public Notice No. 43173
Cable Operators' Use of Converter)	
Boxes, Scrambling, Encryption)	
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**COMMENTS OF THE CITY OF AKRON, OHIO,
AND SURROUNDING MUNICIPALITIES
(COLLECTIVELY "AKRON AREA CITIES")**

On March 18, 1994, the Committee on Science, Technology and Energy of the New Hampshire House of Representatives ("the Committee") filed a Petition for Declaratory Ruling with the Federal Communications Commission ("FCC" or "Commission"). This Petition seeks a ruling from the Commission regarding the validity, under federal law, particularly the Cable Television Consumer Protection and Competition Act of 1992 ("1992 Cable Act") and FCC rules, of legislation known as HB 1342 adopted by the New Hampshire House of Representatives. Specifically, the Committee focuses on two questions in its Petition. First, do the 1992 Cable Act or relevant FCC rules preempt the provision of HB 1342 that prohibits cable operators from requiring consumers to obtain converter boxes for the receipt of cable services unless such a requirement has been approved by the local franchising authority? Second, do the 1992 Cable Act or relevant FCC rules preempt the provision of HB 1342 that authorizes local franchising authorities to include provisions in franchise agreements that condition or restrict the use of scrambling, encryption, digital transmission, converter boxes and other electronic interfaces in order to receive cable services?